

EXHIBIT A-1

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC,

Plaintiff

V.

AUDIBLE MAGIC CORPORATION

Defendant

Civil Action No. 6:15-CV-00584-RWS-CMC

AUDIBLE MAGIC CORPORATION,

Counterclaim Plaintiff

V.

BLUE SPIKE, LLC, BLUE SPIKE, INC.
and SCOTT A. MOSKOWITZ

Counterclaim Defendants

AUDIBLE MAGIC'S TRIAL EXHIBIT LIST

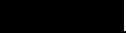
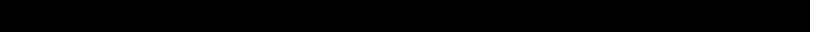
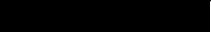
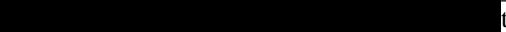
United States District Court
Eastern District of Texas
Blue Spike LLC v. Audible Magic Corp. – Case No. 6:15-cv-584-RWS-CMC
Defendant and Counterclaim Plaintiff's Trial Exhibit List

Def. Ex. No. ¹	Date Offered	Admitted	Description of Exhibits			
			Description	Document Date	Bates Number	Designation
DTX-1			U.S. Patent No. 7,346,472 – Moskowitz, Berry	3/18/2008 ²	BLU000001-14	Public
DTX-2			U.S. Patent No. 7,660,700 – Moskowitz, Berry	2/9/2010	BLU000015-27	Public
DTX-3			U.S. Patent No. 7,949,494 – Moskowitz, Berry	5/24/2011	BLU000028-44	Public
DTX-4			U.S. Patent No. 8,214,175 – Moskowitz, Berry	7/3/2012	BLU000045-59	Public
DTX-5			U.S. Patent No. 7,346,472 File History	N/A	BLU0000060-630	Public
DTX-6			U.S. Patent No. 7,660,700 File History	N/A	BLU0000631-1239	Public
DTX-7			U.S. Patent No. 7,949,494 File History	N/A	BLU0001240-1785	Public
DTX-8			U.S. Patent No. 8,214,175 File History	N/A	BLU0001956-2260	Public
DTX-9			Demo computer, Dell Precision T3400 Intel Core2 Duo CPU, 2.66 GHz 3.25 GB of RAM, running Windows XP Professional, Version 2002, Service Pack 3	2002	N/A	Public
DTX-10			Demo computer, a Dell D610 laptop, Intel Pentium M, 1.86 GHz .99 GB of RAM, running Windows XP Professional, Version 2002, Service Pack 3 and Ubuntu 10.04 in VirtualBox	2002	N/A	Public
DTX-11			Demo computer, ASUS Eee PC laptop, Intel Atom, 1.60GHz, .99 GB of RAM, running Windows XP Home Edition, Version 2002, Service Pack 3	2002	N/A	Public
DTX-12			Demo computer, Windows 2000 5.00.2195, Service Pack 4, running as a guest in a VirtualBox 4.3.14 virtual machine, on a MacBook Pro laptop, 2.5 GHz Intel Core I5, 8 GB RAM	2000	N/A	Public
DTX-13			SoundFisher 0.90	8/17/2000	Demo computer and Quackenbush Materials Considered	Public
DTX-14			SoundFisher 0.85	7/25/2000	Demo computer and Quackenbush Materials Considered	Public
DTX-15			[REDACTED]	1997-2000	Demo computer, a Dell D610 laptop	Highly Confidential
DTX-16			U.S. Patent No. 5,437,050	7/25/1995	IC-000592-617	Public
DTX-17			U.S. Patent No. 7,194,752	3/20/2007	IC-000001-34	Public
DTX-18			[REDACTED]	7/1999	AUDMAG01067957-980	Highly Confidential
DTX-19			[REDACTED]	8/28/2000	BLU0376218	Highly Confidential
DTX-20			[REDACTED]	9/7/2000	BLU0136636-	Highly Confidential

¹ This exhibit list contains exhibits relevant to Audible Magic's counterclaims of derivation and joint inventorship, unjust enrichment, inequitable conduct, Lanham Act violations and unfair competition, in view of the Court's Report and Recommendation to grant summary judgment of non-infringement to Audible Magic, and in view of the fact that such moots Audible Magic's substantive invalidity counterclaims, which may be disposed of provisionally, pending appeal. *See e.g. Nystrom v. Trex Co.*, 339 F.3d 1347 (Fed. Cir. 2003). Audible Magic fully reserves its right to supplement and amend this exhibit list (and to seek to increase the number of permitted exhibits) pending any further development in this case.

² For patents listed in this exhibit list, the "Date" reflected are the patents' issue date. These dates are not meant to reflect the patents' priority dates and are not an admission or waiver, whatsoever, of any issue regarding a patent's date of priority, invention, conception or reduction to practice.

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			Description			
			 [REDACTED]			
DTX-21			 [REDACTED]			8/18/2000 BLU0238095
DTX-22			https://web.archive.org/web/19991013145637/http://musclefish.com/frameset.html	10/13/1999	N/A	Public
DTX-23			https://web.archive.org/web/20000830173916/http://www.musclefish.com/whatsnew.html	8/30/2000	N/A	Public
DTX-24			https://web.archive.org/web/20000301122056/http://www.musclefish.com/frameset.html	3/1/2000	N/A	Public
DTX-25			https://web.archive.org/web/19991127074553/http://www.soundfisher.com	11/27/1999	N/A	Public
DTX-26			AIR DataBlade User Guide release 1.3, June 1997	6/1997	AUDMAG01092688-763	Public
DTX-27			Audio Information Retrieval (AIR) DataBlade Module – From Informix and Muscle Fish	3/1997	AUDMAG00064676-77	Public
DTX-28			Audio Signature Project Plans and Rationale	3/27/1994	AUDMAG00064271-AUDMAG00064272	Highly Confidential
DTX-29			 [REDACTED]			6/24/1994 AUDMAG01625420
DTX-30			 [REDACTED]			6/24/1994 AUDMAG00698236; AUDMAG00413516
DTX-31			 [REDACTED]			7/27/1994 AUDMAG00064261-AUDMAG00064265
DTX-32			 [REDACTED]			10/31/1994 AUDMAG00413460-AUDMAG00413465
DTX-33			 [REDACTED]			3/2/1995 AUDMAG00406610-614
DTX-34			 [REDACTED]			9/8/1994 AUDMAG00064266-AUDMAG00064269
DTX-35			 [REDACTED]			8/9/1994 AUDMAG01625443
DTX-36			 [REDACTED]			9/14/1994 AUDMAG01683078-AUDMAG01683081
DTX-37			SoundFisher Preliminary Feature Summary	5/11/1999	AUDMAG00064845	Highly Confidential
DTX-38			Muscle Fish release: "Muscle Fish Delivering Audio Information Retrieval Datablade Module For Informix-Universal Server"	2/25/1997	AUDMAG00405152-AUDMAG00405154	Public
DTX-39			Audio Information Retrieval (AIR) DataBlade Module From Muscle Fish	10/7/1997	AUDMAG01093630-AUDMAG01093634	Public
DTX-40			Audio Information Retrieval (AIR) DataBlade Module From Informix and Muscle Fish	1997	AUDMAG00405165-AUDMAG00405169	Public
DTX-41			 [REDACTED]			4/7/1989 IHMBLUE0000130
						Highly

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			Description	Document Date	Bates Number	Designation
						Confidential
DTX-42			[REDACTED]	9/21/1989	IHMBLUE0000131-132	Highly Confidential
DTX-43			[REDACTED]	5/19/1989	IHMBLUE0000135-216	Highly Confidential
DTX-44			[REDACTED]	00/00/2012	BLU0456517-BLU0456523	Highly Confidential
DTX-45			[REDACTED]	6/30/1997	BLU013491	Highly Confidential
DTX-46			[REDACTED]	8/5/1997	BLU013499	Highly Confidential
DTX-47			MUSIC for NEW MEDIA Newsletter, Felix Bopp	5/28/1998	BLU0136697-701 Moskowitz Depo. Ex. 12	Highly Confidential
DTX-48			[REDACTED]	6/11/1999	BLU013428	Highly Confidential
DTX-49			[REDACTED] .	09/16/2000	BLU0138508-BLU0138509	Highly Confidential
DTX-50			[REDACTED]	11/25/1997	BLU0141381-BLU0141391	Highly Confidential
DTX-51			[REDACTED]	11/00/1999	BLU0142048-BLU0142157	Highly Confidential
DTX-52			[REDACTED] .	09/30/1999	BLU0142379-BLU0142385	Highly Confidential
DTX-53			[REDACTED] y.	08/00/1997	BLU0142392-BLU0142397	Highly Confidential
DTX-54			[REDACTED] .	04/11/2001	BLU0271062	Highly Confidential
DTX-55			[REDACTED]	08/30/2000	BLU0376220	Highly Confidential
DTX-56			[REDACTED]	02/14/2001	AUDMAG00394346-AUDMAG00394348	Highly Confidential
DTX-57			[REDACTED]	04/28/2000	AUDMAG00394349-AUDMAG00394350	Highly Confidential
DTX-58			[REDACTED]	01/08/1999	AUDMAG00406038	Highly Confidential
DTX-59			[REDACTED]	12/15/1997	AUDMAG00406051-AUDMAG00406062	Highly Confidential

Def. Ex. No. ¹	Date Offered	Admitted	Description of Exhibits			
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DTX-60			[REDACTED]	08/04/1997	AUDMAG00406071- AUDMAG00406072	Highly Confidential
DTX-61			[REDACTED]	08/26/1997	AUDMAG00406073- AUDMAG00406081	Highly Confidential
DTX-62			[REDACTED]	08/01/1997	AUDMAG01676202- AUDMAG01676203	Highly Confidential
DTX-63			[REDACTED]	06/30/1997	AUDMAG01682746- AUDMAG01682751	Highly Confidential
DTX-64			[REDACTED]	06/30/1997	AUDMAG01682752	Highly Confidential
DTX-65			[REDACTED]	11/01/1997	AUDMAG01682754	Highly Confidential
DTX-66			[REDACTED]	12/19/1998	BERRY00001950- BERRY00001960	Highly Confidential
DTX-67			[REDACTED]	12/19/1998	BERRY00001961- BERRY00001972	Highly Confidential
DTX-68			[REDACTED]	10/28/1998	BERRY00002062- BERRY00002064	Highly Confidential
DTX-69			[REDACTED]	11/11/1999	BERRY00003544	Highly Confidential
DTX-70			[REDACTED]	04/07/2000	BERRY00009491	Highly Confidential
DTX-71			[REDACTED]	05/04/2000	BERRY00010988	Highly Confidential
DTX-72			[REDACTED]	05/05/2000	BERRY00011005	Highly Confidential
DTX-73			[REDACTED]	06/15/2000	BERRY00011452	Highly Confidential
DTX-74			[REDACTED]	06/19/2000	BERRY00011533	Highly Confidential
DTX-75			[REDACTED]	06/19/2000	BERRY00011541- BERRY00011543	Highly Confidential
DTX-76			[REDACTED]	07/25/2000	BERRY00012705- BERRY00012706	Highly Confidential
DTX-77			[REDACTED]	07/26/2000	BERRY00012721	Highly Confidential
DTX-78			[REDACTED]	07/26/2000	BERRY00012722	Highly Confidential

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DTX-79			[REDACTED]	07/26/2000	BERRY00012730-BERRY00012731	Highly Confidential
DTX-80			[REDACTED]	08/23/2000	BERRY00012976	Highly Confidential
DTX-81			[REDACTED]	08/23/2000	BERRY00012980	Highly Confidential
DTX-82			[REDACTED]	08/27/2000	BERRY00012990-BERRY00012991	Highly Confidential
DTX-83			[REDACTED]	08/28/2000	BERRY00013001-BERRY00013004	Highly Confidential
DTX-84			[REDACTED]	12/22/2000	BLU0118624	Highly Confidential
DTX-85			[REDACTED]	01/26/2001	BLU0118659	Highly Confidential
DTX-86			[REDACTED]	01/29/2001	BLU0118661-BLU0118663	Highly Confidential
DTX-87			[REDACTED]	07/08/1999	BLU0118708-BLU0118709	Highly Confidential
DTX-88			[REDACTED]	06/14/2000	BLU0118735	Highly Confidential
DTX-89			[REDACTED]	12/17/1999	BLU0126569	Highly Confidential
DTX-90			[REDACTED]	12/18/1999	BLU0126570-BLU0126571	Highly Confidential
DTX-91			[REDACTED]	11/25/2000	BLU0130519	Highly Confidential
DTX-92			[REDACTED]	09/13/2000	BLU0131138-BLU0131139	Highly Confidential
DTX-93			[REDACTED]	09/14/2000	BLU0131140	Highly Confidential
DTX-94			[REDACTED]	09/13/2000	BLU0131141-BLU0131143	Highly Confidential
DTX-95			[REDACTED]	No Date	BLU0131214-BLU0131223	Highly Confidential
DTX-96			[REDACTED]	No Date	BLU0131224-BLU0131229	Highly Confidential
DTX-97			[REDACTED]	05/18/2001	BLU0131420-BLU0131421	Highly Confidential

Def. Ex. No. ¹	Date Offered	Admitted	Description of Exhibits			
			Description	Document Date	Bates Number	Designation
DTX-98			[REDACTED]	No Date	BLU0131429- BLU0131430	Highly Confidential
DTX-99			[REDACTED]	No Date	BLU0131431- BLU0131433	Highly Confidential
DTX-100			Article entitled "DWS Defines Napster Role as Component Building, not Fingerprinting."	03/07/2001	BLU0132961- BLU0132963	Highly Confidential
DTX-101			[REDACTED]	11/13/1999	BLU0133365	Highly Confidential
DTX-102			[REDACTED]	03/10/1999	BLU0133381	Highly Confidential
DTX-103			[REDACTED]	04/15/1999	BLU0133389	Highly Confidential
DTX-104			[REDACTED]	04/21/1999	BLU0133391	Highly Confidential
DTX-105			[REDACTED]	05/24/2001	BLU0133396	Highly Confidential
DTX-106			[REDACTED]	01/30/1998	BLU0133397	Highly Confidential
DTX-107			[REDACTED]	03/28/1998	BLU0133403- BLU0133405	Highly Confidential
DTX-108			[REDACTED]	01/24/1998	BLU0133406- BLU0133407	Highly Confidential
DTX-109			[REDACTED]	02/04/1998	BLU0133409	Highly Confidential
DTX-110			[REDACTED]	01/23/1998	BLU0133411	Highly Confidential
DTX-111			[REDACTED]	01/29/1999	BLU0133438	Highly Confidential
DTX-112			[REDACTED]	05/04/1999	BLU0133456- BLU0133459	Highly Confidential
DTX-113			[REDACTED]	05/05/1998	BLU0133464- BLU0133465	Highly Confidential
DTX-114			[REDACTED]	03/28/1998	BLU0133494- BLU0133497	Highly Confidential
DTX-115			[REDACTED]	06/24/1998	BLU0133504	Highly Confidential
DTX-116			Article entitled "Site places anti-Napster guard on music files."	00/00/2000	BLU0133602- BLU0133603	Highly Confidential

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DTX-117			Article entitled "Emusic to track Napster music swaps."	11/22/2000	BLU0133604- BLU0133605	Highly Confidential
DTX-118			[REDACTED]	11/06/1997	BLU013410- BLU013508	Highly Confidential
DTX-119			[REDACTED]	03/07/1998	BLU0136693	Highly Confidential
DTX-120			[REDACTED]	03/10/1998	BLU0136696	Highly Confidential
DTX-121			[REDACTED]	No Date	BLU0164690- BLU0164692	Highly Confidential
DTX-122			[REDACTED]	07/11/2000	BLU0184601	Highly Confidential
DTX-123			[REDACTED]	01/22/2001	BLU0191920-27	Highly Confidential
DTX-124			[REDACTED]	11/06/2000	BLU0191943	Highly Confidential
DTX-125			Consulting Agreement between Blue Spike and Musclefish	12/27/1998	BLU019988- BLU019991	Highly Confidential
DTX-126			[REDACTED]	No Date	BLU0205584- BLU0205593	Highly Confidential
DTX-127			[REDACTED]	No Date	BLU0205595- BLU0205603	Highly Confidential
DTX-128			[REDACTED]	No Date	BLU0205605- BLU0205609	Highly Confidential
DTX-129			[REDACTED]	10/00/1999	BLU0209538- BLU0209588	Highly Confidential
DTX-130			[REDACTED]	07/29/1997	BLU0230158- BLU0230164	Highly Confidential
DTX-131			[REDACTED]	08/26/1997	BLU0230165	Highly Confidential
DTX-132			[REDACTED]	11/07/1997	BLU0230168	Highly Confidential
DTX-133			[REDACTED]	07/31/1997	BLU0230169	Highly Confidential
DTX-134			[REDACTED]	08/06/1997	BLU0230172	Highly Confidential
DTX-135			[REDACTED]	08/26/1997	BLU0230173	Highly Confidential

Def. Ex. No. ¹	Date Offered	Admitted	Description of Exhibits	Document Date	Bates Number	Designation
			Description			
DTX-136			[REDACTED]			04/21/2001 BLU0230657- BLU0230659
DTX-137			Publication regarding Napster's plan to use better filters			04/20/2001 BLU0230698- BLU0230701
DTX-138			Publication regarding Napster's acquiring filter technology			04/10/2001 BLU0230705- BLU0230707
DTX-139			[REDACTED]			09/30/1999 BLU023649- BLU023656
DTX-140			[REDACTED]			01/22/1998 BLU0236753
DTX-141			Article discussing "First Watermarking and Now fingerpringting?"			04/23/2001 BLU0238097- BLU0238098
DTX-142			Highlights from various news reports discussing industry news			No Date BLU0243587- BLU0243591
DTX-143			[REDACTED]			No Date BLU0243592- BLU0243599
DTX-144			[REDACTED]			02/26/2001 BLU0243706
DTX-145			[REDACTED]			07/17/2000 BLU0248252
DTX-146			[REDACTED]			No Date BLU0249700- BLU0249702
DTX-147			[REDACTED]			09/07/2000 BLU0151294
DTX-148			[REDACTED]			07/01/1997 BLU0151300
DTX-149			[REDACTED]			01/19/2001 BLU0151422
DTX-150			[REDACTED]			05/04/2001 BLU0151810- BLU0151813
DTX-151			[REDACTED]			05/07/2001 BLU0151836- BLU0151839
DTX-152			[REDACTED]			12/05/2000 BLU0152988
DTX-153			[REDACTED]			3/00/01 BLU0160656- BLU0160704
DTX-154			[REDACTED]			02/15/2001 BLU0160755

Def. Ex. No. ¹	Date Offered	Admitted	Description of Exhibits			
			Description	Document Date	Bates Number	Designation
DTX-155			[REDACTED]	02/16/2001	BLU0160756- BLU0160757	Highly Confidential
DTX-156			[REDACTED]	02/05/2001	BLU0160758	Highly Confidential
DTX-157			[REDACTED]	06/01/2001	BLU0160837	Highly Confidential
DTX-158			[REDACTED]	06/01/2001	BLU0160840	Highly Confidential
DTX-159			[REDACTED]	08/13/1999	BLU0161012	Highly Confidential
DTX-160			[REDACTED]	06/11/2001	BLU0163886	Highly Confidential
DTX-161			[REDACTED]	03/17/2001	BLU0163965- BLU0163967	Highly Confidential
DTX-162			[REDACTED]	04/10/2001	BLU0163985	Highly Confidential
DTX-163			[REDACTED]	06/16/2001	BLU0163996	Highly Confidential
DTX-164			[REDACTED]	04/10/2001	BLU0164044	Highly Confidential
DTX-165			[REDACTED]	06/13/2001	BLU0164194- BLU0164195	Highly Confidential
DTX-166			[REDACTED].	05/01/2001	BLU0142561- BLU0142565	Highly Confidential
DTX-167			[REDACTED] r.	05/01/2000	BLU0142572- BLU0142575	Highly Confidential
DTX-168			[REDACTED]	05/06/2000	BLU0142602- BLU0142605	Highly Confidential
DTX-169			[REDACTED]	12/27/1998	AUDMAG00406039- AUDMAG00406041	Confidential
DTX-170			[REDACTED]	2/16/2000	BERRY00007362- BERRY00007362	Confidential
DTX-171			[REDACTED]	12/22/2000	BLU0118625- BLU0118625	Confidential
DTX-172			[REDACTED]	2001	BLU0118683- BLU0118697	Confidential

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DTX-173			[REDACTED]			6/20/2000 BLU0118702- BLU0118703
DTX-174			[REDACTED]			7/12/2000 BLU0118705- BLU0118705
DTX-175			[REDACTED]			7/8/1999 BLU0118710- BLU0118710
DTX-176			[REDACTED]			7/8/1999 BLU0118711- BLU0118712
DTX-177			[REDACTED]			12/2/1998 BLU0118876- BLU0118881
DTX-178			[REDACTED]			2000 BLU0119747- BLU0119747
DTX-179			[REDACTED]			BLU0119803- BLU0119809
DTX-180			[REDACTED]			BLU0131240- BLU0131248
DTX-181			[REDACTED]			3/8/1998 BLU0136704- BLU0136704
DTX-182			[REDACTED]			3/10/1998 BLU0136707- BLU0136707
DTX-183			[REDACTED]			12/5/2000 BLU0152985
DTX-184			[REDACTED]			2/5/2001 BLU0160781-83
DTX-185			[REDACTED]			6/1/2001 BLU0160839
DTX-186			[REDACTED]			6/11/2001 BLU0163887-88
DTX-187			[REDACTED]			4/10/2001 BLU0163986
DTX-188			[REDACTED]			1/2001 BLU0191921-27
DTX-189			[REDACTED]			8/2001 BLU0191934-36
DTX-190			[REDACTED]			11/6/2000 BLU0191944-47
DTX-191			[REDACTED]			2000 BLU0249703-05
DTX-192			https://web.archive.org/web/19991105142627/http://www.digitalehanse.com/det_data.htm			11/5/1999 Public
DTX-193			https://web.archive.org/web/19991105161206/http://www.digitalehanse.com/det_rec.htm			11/5/1999 Public
DTX-194			“Giovanni Abstraction Machine” offer for sale at http://www.blue-spike.myshopify.com			1/27/2013 AUDMAG02630580- 81 Public
DTX-195			[REDACTED]			1/16/2015 BLU0445056 Highly Confidential
DTX-196			[REDACTED]			07/21/2000 AUDMAG00049927- AUDMAG00049958 Highly Confidential
DTX-197			[REDACTED]			No Date AUDMAG00049965- Highly

Def. Ex. No. ¹	Date Offered	Admitted	Description of Exhibits	Document Date	Bates Number	Designation
			Description			
			Corporation [REDACTED]		AUDMAG00049971	Confidential
DTX-198			[REDACTED]	No Date	AUDMAG00050021 - AUDMAG00050208	Highly Confidential
DTX-199			[REDACTED]	10/28/1998	BLU0118867-70 Moskowitz Ex. 6	Highly Confidential
DTX-200			[REDACTED]	9/6/2000	BLU0369978 Moskowitz Ex. 7	Highly Confidential
DTX-201			[REDACTED]	12/5/2000	BLU0152989 Moskowitz Ex. 8	Highly Confidential
DTX-202			[REDACTED]	6/30/1997	BLU0230166 Moskowitz Ex. 9	Highly Confidential
DTX-203			[REDACTED]	6/30/1997	BLU013491 Moskowitz Ex. 10	Highly Confidential
DTX-204			[REDACTED]	8/5/1997	BLU013499 Moskowitz Ex. 11	Highly Confidential
DTX-205			[REDACTED]	3/7/2014	BLU0444341 Moskowitz Ex. 14	Highly Confidential
DTX-206			[REDACTED]	4/2/2013	BLU0444336 Moskowitz Ex. 15	Highly Confidential
DTX-207			IEEE Feature Article Entitled Content-Based Classification, Search, and Retrieval of Audio – Wold, Blum, Keislar and Wheaton (S. Moskowitz Depo Ex. 17)	1996	Moskowitz Ex. 17	Public
DTX-208			U.S. Patent No. 5,918,223 – Blum (S. Moskowitz Depo Ex. 18)	6/29/1999	Moskowitz Ex. 18	Public
DTX-209			[REDACTED]	6/2/1999	BLU013424-32 Moskowitz Ex. 21	Highly Confidential
DTX-210			[REDACTED]	1/18/1999	BLU0141686-87 Moskowitz Ex. 22	Highly Confidential
DTX-211			[REDACTED]	8/1999	BLU0161017-1066 Moskowitz Ex. 23	Highly Confidential
DTX-212		24)	[REDACTED]	2/14/2001	BLU0160754 Moskowitz Ex. 24	Highly Confidential
DTX-213			[REDACTED]	12/5/2000	BLU0152986-87 Moskowitz Ex. 25	Highly Confidential
DTX-214			[REDACTED]	2/18/2001	BLU0119802-08 Moskowitz Ex. 26	Highly Confidential
DTX-215			[REDACTED]	8/2000	BLU0205987-6003 Moskowitz Ex. 27	Highly Confidential
DTX-216			[REDACTED]	3/10/1998	BLU0136706-07 Moskowitz Ex. 28	Highly Confidential

United States District Court
Eastern District of Texas
Blue Spike LLC v. Audible Magic Corp. – Case No. 6:15-cv-584-RWS-CMC
Defendant and Counterclaim Plaintiff's Trial Exhibit List

Def. Ex. No. ¹	Date Offered	Admitted	Description of Exhibits			
			Description	Document Date	Bates Number	Designation
DTX-217			[REDACTED]	12/23/2009	BLU002690-723 Moskowitz Ex. 29	Highly Confidential
DTX-218			[REDACTED]	2014	BLU0445047-55 Moskowitz Ex. 31	Highly Confidential
DTX-219			Article from bluespike.com entitled "Shazam May Have Graduated From Start-Up to Verb, But Business Patents Threatened to Make It Past Tense" (S. Moskowitz Depo Ex. 32)	9/21/2013	AUDMAG02630577 Moskowitz Ex. 32	Public
DTX-220			[REDACTED]	1/16/2015	BLU00445056 Moskowitz Ex. 33	Highly Confidential
DTX-221			Shopify Page re Giovanni Abstraction Machine (S. Moskowitz Depo Ex. 34)	1/27/2013	Moskowitz Ex. 34	Public
DTX-222			Request For Extension of Time and Amendment/Reply re Appl. No. 12/005,229 (S. Moskowitz Depo Ex. 35)	10/30/2009	BLU000993-1020 Moskowitz Ex. 35	Public
DTX-223			[REDACTED]	2/21/2013	BLU002261-2279	Highly Confidential
DTX-224			[REDACTED]	3/2/2015	N/A	Highly Confidential
DTX-225			[REDACTED]	3/2/2015	N/A	Highly Confidential
DTX-226			[REDACTED]	3/2/2015	N/A	Highly Confidential
DTX-227			Acacia Research Corporation, Form 10-K for the Fiscal Year Ended December 31, 2013	12/31/2013		Public
DTX-228			Acacia Research Corporation, Form 10-K for the Fiscal Year Ended December 31, 2014	12/31/2014		Public
DTX-229			Alabama Law Review, Volume 64, "The Rise of Contingent Fee Representation in Patent Litigation," Schwartz, David L., 2012	2012		Public
DTX-230			Network-1 Security Solutions, Inc., Form 10-K for the Fiscal Year Ended December 31, 2012	12/31/2012		Public
DTX-231			Network-1 Technologies, Inc., Form 10-K for the Fiscal Year Ended December 31, 2013	12/31/2013		Public
DTX-232			Network-1 Technologies, Inc., Form 10-K for the Fiscal Year Ended December 31, 2014	12/31/2014		Public
DTX-233			Washington Lawyers for the Arts, "Contingency Fee Lawyers in Intellectual Property," thewla.org/contingency-fee-lawyers-in-intellectual-property/			Public
DTX-234			[REDACTED]	5/19/2000	BLU023643 Ingalls Ex. 8	Public
DTX-235			[REDACTED]	7/29/1997	BLU013482-86	Highly Confidential
DTX-236			[REDACTED]	7/31/1997	BLU013489	Highly Confidential
DTX-237			[REDACTED]	7/31/1997	BLU013496-97	Highly Confidential
DTX-238			[REDACTED]	8/26/1997	BLU013495	Highly Confidential

Def. Ex. No. ¹	Date Offered	Admitted	Description of Exhibits	Document Date	Bates Number	Designation
			Description			
DTX-239			[REDACTED]			8/26/1997 BLU013487 Highly Confidential
DTX-240			[REDACTED]			11/6/1997 BLU013493 Highly Confidential
DTX-241			[REDACTED]			11/7/1997 BLU013490 Highly Confidential
DTX-242			[REDACTED]			11/6/1997 BLU013500 Highly Confidential
DTX-243			[REDACTED]			12/24/1998 BLU013494 Highly Confidential
DTX-244			[REDACTED]			5/5/2000 BLU013479 Highly Confidential
DTX-245			Consulting Agreement between Blue Spike Inc. and Musclefish (not signed)	5/1/2000	AUDMAG00406082	Highly Confidential
DTX-246			Muscle Fish – Content-based classification, search and retrieval of audio		BLU0136697-701	Highly Confidential
DTX-247			[REDACTED]			7/25/2000 BLU0374929 Highly Confidential
DTX-248			Email from Keislars to Ashley and Ikezoye	2/14/2001	AUDMAG00396433	Highly Confidential
DTX-249			Shazam Has Hit a Spike in the Road (bluespike.com)	4/4/2013	AUDMAG02630578	Public
DTX-250			[REDACTED]			12/19/1998 BERRY00014148-206 Highly Confidential

Dated: May 18, 2016

By:

/s/ Eric H. Findlay

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